

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3 * * *

4 AZUJHON KENNETH SIMS,

Case No. 3:17-cv-00543-RCJ-CBC

5 Plaintiff,

ORDER

6 v.

7 ROMEO ARANAS et al.,

8 Defendants.
9

10 **I. DISCUSSION**

11 This action is a *pro se* civil rights complaint filed pursuant to 42 U.S.C. § 1983 by
12 an individual who was in the custody of the Nevada Department of Corrections at the time
13 he initiated this case. At the time Plaintiff initiated this case, Plaintiff submitted an
14 application to proceed *in forma pauperis* for prisoners. (ECF No. 1). In this Court's
15 January 14, 2019 screening order, the Court deferred a decision on the application to
16 proceed *in forma pauperis*. (ECF No. 8 at 10). The screening order also imposed a 90-
17 day stay and the Court entered a subsequent order in which the parties were assigned to
18 mediation by a court-appointed mediator. (ECF Nos. 8, 12). The Office of the Attorney
19 General has filed a status report indicating that settlement has not been reached and
20 informing the Court of its intent to proceed with this action. (ECF No. 14).

21 The Court now directs Plaintiff to file an application to proceed *in forma pauperis*
22 by a non-prisoner within thirty (30) days from the date of this order or pay the full filing fee
23 of \$400. After the Court determines the matter of the payment of the filing fee, the Court
24 will issue an order on the matter of service.

25 **II. CONCLUSION**

26 For the foregoing reasons, IT IS ORDERED that Plaintiff's application to proceed
27 *in forma pauperis* for prisoners (ECF No. 1) is DENIED as moot.

28 IT IS FURTHER ORDERED that the Clerk of the Court SHALL SEND Plaintiff the

1 approved form application to proceed *in forma pauperis* by a non-prisoner, as well as the
2 document entitled information and instructions for filing an *in forma pauperis* application.

3 IT IS FURTHER ORDERED that within **thirty (30) days** from the date of this order,
4 Plaintiff shall either: (1) file a fully complete application to proceed *in forma pauperis* for
5 non-prisoners; or (2) pay the full filing fee of \$400.

6 IT IS FURTHER ORDERED that if Plaintiff does not timely comply with this order,
7 the Court will dismiss this case with prejudice.

8 IT IS FURTHER ORDERED that upon the resolution of the matter of the filing fee
9 this Court shall issue a subsequent order on the matter of service.

10
11 DATED THIS 9th day of April 2019.

12 
13 UNITED STATES MAGISTRATE JUDGE
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28